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POLICE DEPARTMENT, CHIEF WAYNE
7 TUCKER, SGT. BERNARD ORTIZ

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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**
12

13 MIGUEL ORTEGA, BENJAMIN ORTEGA,

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND, OAKLAND POLICE
DEPARTMENT, WAYNE TUCKER, In His
17 Capacity as the Police Chief of the City of
Oakland, RAMON J. ALCANTAR, Individually
18 and in his capacity as a Police Officer for the
City of Oakland, B. ORTIZ, Individually and in
19 his capacity as a Police Officer for the City of
Oakland, DOES 1 THROUGH 200,

20 Defendants.
21

Case No. C-07-02659 (JCS)

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANTS' MOTION
FOR PARTIAL SUMMARY JUDGMENT**

Date: September 19, 2008
Time: 9:30 a.m.
Dept.: Courtroom A, 15th Floor
The Honorable Joseph C. Spero

22 Pursuant to Federal Rule of Evidence 201(d), defendants hereby request the Court take
23 judicial notice of the following matters of public record:
24

- 25 1. Exhibit A – Oakland Police Department Use of Force Policy Handbook, effective
26

1 date February 17, 2006.

- 2 2. Exhibit B – Oakland Police Department Training Bulletin – Departmental General
3 Order A-7; July 21, 1989 re: Contacts, Detentions, and Arrests.
4

5 Dated: August 15, 2008

6 JOHN A. RUSSO, City Attorney
7 RANDOLPH W. HALL, Assistant City Attorney
8 JAMES F. HODGKINS, Supervising Trial Attorney
9 CHARLES E. VOSE, Senior Deputy City Attorney
10 KANDIS A. WESTMORE, Deputy City Attorney

11 By: /S/ KANDIS A. WESTMORE
12 Attorneys for Defendants,
13 CITY OF OAKLAND, OAKLAND POLICE DEPARTMENT,
14 WAYNE TUCKER, and BERNARD ORTIZ
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